

DEPARTMENT OF STATE REVENUE

LETTER OF FINDINGS NUMBER: 02-0322

Sales and Use Taxes

Calendar Years 12/31/99 and 12/31/00

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ISSUE(S)

I. Tax Administration – Interest

Authority: IC 6-8.10-1; 45 IAC 15-11-1

Taxpayer protests the interest assessed.

STATEMENT OF FACTS

Taxpayer was assessed penalty and interest for failing to accrue and remit use tax and failing to charge sales tax on a portion of its sales. Taxpayer had no use tax accrual system in place. Taxpayer requests the department waive the interest assessed against it.

I. Tax Administration – Interest

DISCUSSION

Taxpayer failed to accrue and remit tax due. The department assessed a penalty and updated interest. On May 24, 2002, taxpayer requested an interest waiver because it did not receive a billing until three months after the audit was completed.

The department has no authority to waive interest.

FINDING

Taxpayer's protest is denied.